

DEC-13-2005(TUE) 17:14  
12/13/05 16:38 FAX 415 954 4480ONE LEGAL OAKLAND FILING  
FB&N 18TH FLR.

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0002

DEC-05-2005 09:20

P.02

1 William P. Keane (State Bar No. 124756)  
2 Gabriela M. Ruiz (State Bar No. 227110)  
3 FARELLA BRAUN & MARTEL LLP  
4 235 Montgomery Street, 30th Floor  
San Francisco, CA 94104  
Telephone: (415) 954-4400  
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5 Attorneys for Defendant  
6 RUBEN R. CANNON

**FILED**  
DEC 15 2005

RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11  
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 RUBEN R. CANNON et al.,

16 Defendant.

Case No. CR-05-00011 MJJ

STIPULATION AND ~~PROPOSED~~ ORDER  
TO RESCHEDULE THE DATE FOR  
SENTENCING

**BY FAX**

17  
18 The moving party, by and through his undersigned counsel, certifies as follows:

19 1. The moving party has conferred with Probation Officer Charles Mabie and  
20 Assistant United States Attorney Doug Sprague and confirmed that they are available on the  
21 changed date as indicated below.

22 2. The moving party has also conferred with the Courtroom Deputy Clerk and has  
23 confirmed that the changed date is available on Judge Jenkins' calendar.

24 The parties, by and through their undersigned counsel, stipulate and agree as follows:

25 1. The Court has scheduled a hearing in the above-captioned matter for January 19,  
26 2005.  
27

28  
Farella Braun & Martel LLP  
150 Montgomery Street, Suite 3000  
San Francisco, CA 94104  
(415) 954-4400

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DEC-29-2005 09:28

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2. The parties, for good cause already known to the court, hereby request that the hearing be continued until March 23, 2005 at 2:00 p.m.

SO STIPULATED AND AGREED.

DATED: December <sup>6<sup>th</sup></sup> 2005

FARELLA BRAUN &amp; MARTEL LLP

By: 

William P. Farella

Attorneys for Defendant  
 RUBEN R. CANNON

DATED: December <sup>7<sup>th</sup></sup> 2005

ASSISTANT UNITED STATES ATTORNEY

By: 

Douglas Spang

Attorneys for Plaintiff  
 UNITED STATES OF AMERICA

IT IS SO ORDERED.

DATED: December <sup>14<sup>th</sup></sup> 2005By: 

Hon. Martin J. Jenkins  
 United States District Judge

Paralel Business Services LLP  
 225 Montgomery Avenue, Suite 200  
 San Francisco, CA 94134  
 (415) 774-0000

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TOTAL P.03

PROOF OF SERVICE

I, Chinetha Thomas, declare:

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 235 Montgomery Street, 30th Floor, San Francisco, California 94104. On December 13, 2005, I served a copy of the within document(s):

STIPULATION AND [PROPOSED] ORDER TO RESCHEDULE THE DATE FOR SENTENCING

- ☒ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed \_\_\_\_\_ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Douglas Sprague  
Assistant United States Attorney  
Office of the United States Attorney  
Northern District of California  
450 Golden Gate Ave, Box 36055  
San Francisco, CA 94102  
Tel: (415) 436-7183  
Fax: (415) 436-7234

Mr. Charles Mabie  
United States Probation Officer  
1301 Clay Street, Suite 220S  
Oakland, CA 94612  
Tel: 510 637-3616  
Fax: 510 637-3625

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 13, 2005, at San Francisco, California.

  
Chinetha Thomas